

# Land Use Petition

Project Number: 2016.010

## Subject Property Information

Address/Location: East of Duke Parkway north of Ferry Road

Parcel Number(s): 04-33-404-007

(attach separate sheet if necessary)

## Petition Request(s)

Requesting approval of a Final Plan for Lot 5 of Butterfield East Unit 3 for a Warehouse, Distribution and Storage Services (3300) Facility

Requesting the Vacation of a public utility easement on the property at Lot 5 of Butterfield East Unit 3

Requesting approval of a Plat of Easement on Lot 5 of Butterfield East Unit 3

## Attachments Required

(hard copies and CD of digital files are required)

One Copy of:  
Development Tables (excel 1-0)  
Project Contact Info Sheet (1-5)  
Parking Requirement Worksheet (1-8)  
Qualifying Statement (2-1)  
Plat of Survey (2-1)  
Legal Description (2-1)  
Letter of Authorization\* (2-2)  
Existing or Proposed CC and Rs  
Recording Fee (made out to DuPage County) in the amount of \$80.00

Four Copies of:  
Address Plat (2-17)  
Two Copies of:  
Final Engineering Plans (2-16)  
Kane County Stormwater Management Permit Application (App 6-5)  
Stormwater Report (2-10)  
Soil Investigation Report for the Site  
Wetland Determination Report  
One Paper copy of and one Executed Mylar copy of the Plat of Vacation (2-14)

Four Copies of:  
Final Plan (2-4)  
Fire Access Plan (2-6)  
Landscape Plan (2-7)  
Landscape CTE Worksheet (1-22)  
Landscape Material Worksheet (1-23)  
Building and Signage Elevations (2-11)  
One Paper copy of and one Executed Mylar copy of the of Plat of Dedication (2-13)

## Petition Fee: \$3,876.07 (Payable to The City of Aurora)

I hereby affirm that I have full legal capacity to authorize the filing of this Petition and that all information and exhibits herewith submitted are true and correct to the best of my knowledge. The Authorized Signatory invites City representatives to make all reasonable inspections and investigations of the subject property during the period of processing this Petition.

\*The Subject Property Owner must sign this form unless the Contact Person has been authorized to do so per a letter that is attached hereto. If Signator is NOT the Subject Property Owner a Letter of Authorization with owner's Name and contact information is required.

Authorized Signature: [Signature] Date 3-4-14

Print Name and Company: Ryan O'Leary Duke Realty Limited Partnership

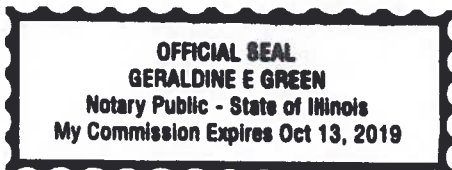
I, the undersigned, a Notary Public in and for the said County and State aforesaid do hereby certify that the authorized signer is personally known to me to be the same person whose name is subscribed to the foregoing instrument and that said person signed sealed and delivered the above petition as a free and voluntary act for the uses and purposes set forth.

Given under my hand and notary seal this 4<sup>th</sup> day of March 2014.

State of IL )  
County of DuPage ) SS

NOTARY PUBLIC SEAL

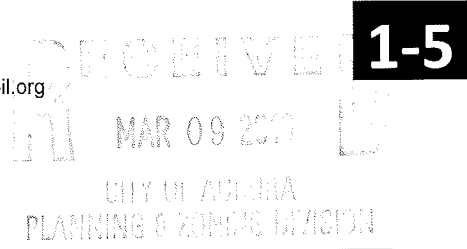
[Signature]  
Notary Signature







Planning and Zoning Division 1 S. Broadway, 2nd Floor, Aurora, IL  
 phone (630) 256-3080 fax (630) 256-3081 email COAPlanning@aurora-il.org



## Project Contact Information Sheet

**Project Number:** 2016.01

### Owner

First Name: Duke Realty Initial: 0 Last Name: 0 Title: Select O  
 Company Name: 0  
 Job Title: 0  
 Address: 1301 West 22nd Street, Suite 800  
 City: Oak Brook State: IL Zip: 60523  
 Email Address: 0 Phone No.: 0 Mobile No.: 0

### Main Petitioner Contact (The individual that signed the Land Use Petition)

Relationship to Project: Owner  
 Company Name: Duke Realty  
 First Name: Wilfrid Initial: 0 Last Name: Freve Title: Mr.  
 Job Title: Sr. Development Services Manager  
 Address: 1301 West 22nd Street, Suite 800  
 City: Oak Brook State: IL Zip: 60523  
 Email Address: Wil.Freve@dukerealty.com Phone No.: 847-232-5445 Mobile No.: 0

### Additional Contact #1

Relationship to Project: Landscape Architect  
 Company Name: Webster, McGrath & Ahlberg  
 First Name: Benedict Initial: 0 Last Name: Bussman Title: Mr.  
 Job Title: Vice President  
 Address: 207 S. Naperville Road  
 City: Wheaton 0 State: IL Zip: 60187  
 Email Address: benb@wmaltd.com Phone No.: 630-668-7620 Mobile No.: 0

### Additional Contact #2

Relationship to Project: Engineer  
 Company Name: Webster, McGrath & Ahlberg  
 First Name: Benedict Initial: 0 Last Name: Bussman Title: Mr.  
 Job Title: Vice President  
 Address: 207 S. Naperville  
 City: Wheaton 0 State: IL Zip: 60187  
 Email Address: 0 Phone No.: 630-668-7620 Mobile No.: 0

### Additional Contact #3

Relationship to Project: Surveyor  
 Company Name: Webster, Mcgrath & Ahlberg  
 First Name: Joel Initial: 0 Last Name: Vietti Title: Mr.  
 Job Title: Vice President  
 Address: 207 S. Naperville Road  
 City: Wheaton 0 State: IL Zip: 60187  
 Email Address: joelv@wmaltd.com Phone No.: 630-668-7603 Mobile No.: 0

### Additional Contact #4

Relationship to Project: Real Estate Broker  
 Company Name: Duke Realty  
 First Name: Susan Initial: 0 Last Name: Bergdoll Title: Mrs.  
 Job Title: 0  
 Address: 1301 West 22nd St, Suite 800  
 City: Oak Brook 0 State: IL Zip: 60523  
 Email Address: Susan.Bergdoll@dukerealty.c Phone No.: (847) 232-5420 Mobile No.: 0



1301 W. 22nd Street, Suite 800  
Oak Brook, IL 60523  
847.232.5400  
dukerealty.com

March 4<sup>th</sup>, 2016

Mr. Edward Sieben  
Zoning Administrator  
City of Aurora Planning & Zoning Department  
1 South Broadway  
Aurora, IL 60505

**Re: Qualifying statement for Final Plan and Plat  
Butterfield Unit 3, Lot 5 ("Site")**

Dear Mr. Sieben:

Duke Realty Corporation ("Duke") submits to the City of Aurora the included package for the above referenced Site. Duke's submittal requests approval of a Final PDD and any other associated documents that may be required. Duke is submitting and seeking approval of the following documents in support of our petition:

- Final Plan for Butterfield East Unit 3, Lot 5
- Plat of Vacation (needed to adjust existing utility easements to better match the proposed utility lines)
- Plat of Easement (needed to adjust existing utility easements to better match the proposed utility lines)

Additionally, Duke, herein submits the following qualifying statement regarding the above Land Use Petition:

- ***The public health, safety, morals, comfort, or general welfare.***  
Approval of the proposed Final Plan and Plat will continue the development of Butterfield East as a first class business park, and allow the petitioner to construct a state-of-the art industrial facility on the Site. The proposed building is in substantial conformance to the previously approved Preliminary PDD Plan; it will be constructed of quality materials, architecturally detailed, and consistently maintained. The Site will be served with a variety of landscaped boulevards that exceed ordinance requirements. All landscaping shall be maintained by a professional landscaping company. Finally, the proposed building will be consisted with the Covenants, Conditions, and Restrictions established for the park, ensuring that only uses consistent with a premier business park are permitted.



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- ***The use and enjoyment of other property already established or permitted in the general area.***

The proposed Site development will be consistent in use and design with the existing industrial buildings already located in the Butterfield East Business Park. In areas where the proposed development abuts residential areas, Duke Realty has provided and offsite, densely landscaped berm, as well as extra, onsite landscaping adjacent to Duke Parkway to mitigate this condition. Duke is also proposing shorter and less intense street lighting fixtures to minimize glare on adjacent residential properties.
- ***The normal and orderly development and improvement of surrounding property for uses established or permitted within their existing zoning districts.***

The majority of the land around and within the park has been previously developed. This Site is the last developable lot within the Park. Therefore, all required public improvements and infrastructure to handle the proposed development are in place, with the exception of the final phase of Duke Parkway. This road extension shall be constructed in conjunction with the proposed development.
- ***Utilities, access roads, drainage, and/or other necessary facilities.***

In conjunction with the development of the park, Duke Realty will be installing sanitary sewer, storm sewer, water mains, and electrical / telecommunications spine to serve this lot. All of the existing utility mains within the park have been adequately sized to accept the additional demand from the proposed development. Additionally, a master-planned stormwater detention system had been approved, and will be completed prior to the impervious development of the site.
- ***Ingress and egress as it relates to traffic congestion in the public streets.***

Access to the park shall be provided off of Duke Parkway, a thirty-six foot wide collector road rated for truck traffic. The Site will have multiple curb cuts on Duke Parkway, allowing orderly and evenly-distributed traffic flow across the site. Additionally, the City has approved additional emergency access from the residential neighborhood to the north, ensuring that adequate emergency access is provided.
- ***The applicable regulations of the zoning district in which the subject property is proposed to be or is located.***

The underlying zoning of the proposed park is "PDD—Planned Development District". Pursuant to the annexation agreement for Unit 3, the bulk regulations were assumed to be based on the Manufacturing District. However, when seeking approval of the existing Preliminary PDD, Duke Realty developed zoning standards based off of the "ORI—Office, Research, Light Industrial" district. Duke is again proposing to use the more restrictive standards of the ORI district for the Site. Additionally, all uses anticipated for the Site permitted within the ORI zoning district.



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The petitioner requests approval of the following deviations from the existing zoning standards during the Preliminary Plan and Plat Approval:

- *Reduction in the Required Perimeter Landscaping along the Dock Walls:*  
The Proposed building contains north and south dock walls that extend approximately 1,500 feet. Aurora's ordinance requires foundation landscaping around the perimeter of a building, however this is not possible in paved, dock areas. Duke is requesting that the requirement for perimeter landscaping be waived in the Dock wall areas. To mitigate this request, Duke proposes the following, additional landscaping is installed:
  - Along the north side of the site, an equivalent volume of plantings that would otherwise be required against the north dock wall will be installed in the landscape area adjacent to Duke Parkway. This will effectively move the required landscaping from against the building and closer to the roadway, enhancing the streetscape and screening for the site.
  - Along the South side of the site, applying a similar mitigation measure would be wasted, as the additional landscaping would face the southern property only, and not be visible from a public way. As an alternative, Duke proposes to plant additional landscaping material along the western portion of the site. The amount of additional plantings will be equivalent to the foundations plantings required for the west building wall. This added landscaping would be placed along Duke Parkway, creating a consistently enhanced and densely planted streetscape along the entire extent of Duke Parkway.
- *Reduction in the Landscape Setback:*  
Given the non-rectangular shape of the site, Duke is requesting minor encroachments of trailer parking into the parking setback. These encroachments will not exceed 10% of the required setback.

The above deviations have been identified by the project team. If staff determines that the proposed Final Plan requires additional deviations not identified here, Duke requests that these also be included and made part of our petition. If you require any additional information regarding this land use petition, please do not hesitate to contact me at (847) 232-5445, or [wil.freve@dukerealty.com](mailto:wil.freve@dukerealty.com). Thank you for your assistance with this project.

Respectfully Submitted,

DUKE REALTY CORPORATION

Wilfrid Freve  
Senior Development Services Manager



1301 W. 22nd Street, Suite 800  
Oak Brook, IL 60523  
847.232.5400  
dukerealty.com

February 24, 2016

Mr. Ed. Sieben  
City of Aurora, Planning and Zoning Division  
44 East Downer Place  
Aurora, IL 60507  
630-256-3080

**Re: Authorization Letter: Butterfield Unit 3, Lot 5 ("Site")**

Dear Mr. Sieben:

Duke Realty Limited Partnership ("Duke") is the record owner of the above noted Site. As a Vice President, Leasing of Duke, I hereby affirm that I have full legal capacity to authorize the following parties to act as the owner's agents for the Final Plan and Plat Land Use Petition process with the City of Aurora for the Site:

- Wilfrid Freve; Sr. Development Services Manager; Duke Realty Corporation
- Ben Bussman; Vice President; Webster, McGrath & Ahlberg, Ltd.
- Kasey Kluxdal; Project Architect; Harris Architects

Respectfully Submitted,

DUKE REALTY LIMITED PARTNERSHIP,  
an Indiana limited partnership

By: Duke Realty Corporation, an Indiana  
corporation, its general partner

By:  \_\_\_\_\_

Printed: Susan Bergdol

Title: Vice President, Leasing





**LOT 5**

**BUTTERFIELD EAST – UNIT 3**

LOT 5 IN THE FINAL PLAT OF BUTTERFIELD EAST – UNIT 3, BEING A SUBDIVISION IN PART OF SECTION 33, TOWNSHIP 39 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN AND PART OF SECTION 4, TOWNSHIP 38 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 4, 2015 AS DOCUMENT R2015-099332, IN DUPAGE COUNTY, ILLINOIS.

## Parking and Stacking Requirement Worksheet

**Project Number:** 2016.01

**Petitioner:** Duke Realty

**Parking Requirement**

<b>Total Parking Requirement</b>	<b>90</b>
Enclosed Parking Spaces	-
Surface Parking Spaces	90

*Note: All parking spaces must be individually accessible spaces in order to count towards this requirement*

**Stacking Requirement**

<b>Total Stacking Requirement (number of stacking spaces)</b>	<b>-</b>	
Drive-through facilities	-	5 stacking spaces at each bay, window, lane, ordering station, machine or similar.
Car wash facilities, automated	-	20 stacking spaces or 10 per approach lane, whichever is greater.
Car wash facilities, self-service	-	3 stacking spaces per approach lane, plus 2 drying spaces per stall
Preschool or daycare facilities, drop-off area	-	5 stacking spaces for facilities 5,000 SF or less or 10 spaces for facilities greater than 5,000 SF.

This Calculator is for informational purposes only and all numbers are subject to verification by the Review Planner.

**OFFICE USE ONLY**

Verified By: \_\_\_\_\_

**Requirement Based On:**

Sq Ft

Use


Needed

Requirement

RECEIVED  
MAR 09 2016  
CITY OF AURORA  
PLANNING & ZONING DEPARTMENT

**Development Data Table: Final Plan for Butterfield East Unit 3 Subdivision, Lot 5**

Description	Value	Unit	Description	Value	Unit
a) Tax/Parcel Identification Number(s) (PINs): 04-33-404-010			j) Total Number of Residential Dwelling Units	0	units
			i. Gross Density	0.00	du/acre
			ii. Net Density	0.00	Net Density
			k) Number of Single Family Dwelling Units	0	units
b) Proposed land use(s): Distribution Warehouse			i. Gross Density	0.00	du/acre
			ii. Net Density	0.00	Net Density
			iii. Unit Square Footage (average)	-	square feet
c) Total Property Size	47.17346189	Acres	iv. Bedroom Mix	0%	% 1 bdr
	2,054,876	Square Feet		0%	% 2 bdr
d) Total Lot Coverage (buildings and pavement)	1,768,428	Square Feet		0%	% 3 bdr
	86%	Percent		0%	% 4 bdr
e) Open space / landscaping	286,448	Square Feet	v. Number of Single Family Corner Lots	0	units
	14%	Percent	l) Number of Single Family Attached Dwelling Units	0	units
f) Land to be dedicated to the School District	0	Acres	i. Gross Density	0.00	du/acre
g) Land to be dedicated to the Park District	0	Acres	ii. Net Density	0.00	Net Density
h) Number of parking spaces provided (individually accessible)	512	spaces	iii. Unit Square Footage (average)	-	square feet
i. surface parking lot	512	spaces	iv. Bedroom Mix	0%	% 1 bdr
perpendicular	502	spaces		0%	% 2 bdr
parallel	0	spaces		0%	% 3 bdr
angled	0	spaces		0%	% 4 bdr
handicapped	10	spaces	m) Number of Multifamily Dwelling Units	0	units
ii. enclosed	0	spaces	i. Gross Density	0.00	du/acre
iii. bike	1	racks	ii. Net Density	0.00	Net Density
i) Number of buildings	1		iii. Unit Square Footage (average)	-	square feet
i. Number of stories	1	stories	iv. Bedroom Mix	0%	Efficiency
ii. Building Square Footage (typical)	954,720	square feet		0%	% 1 bdr
iii. Square Footage of retail floor area	0	square feet		0%	% 2 bdr
iv. First Floor Building Square Footage (typical)	954,720	Linear Footage		0%	% 3 bdr

  
 MAR 09 2007  
 CITY OF CHICAGO  
 PLANNING & ZONING DEPARTMENT